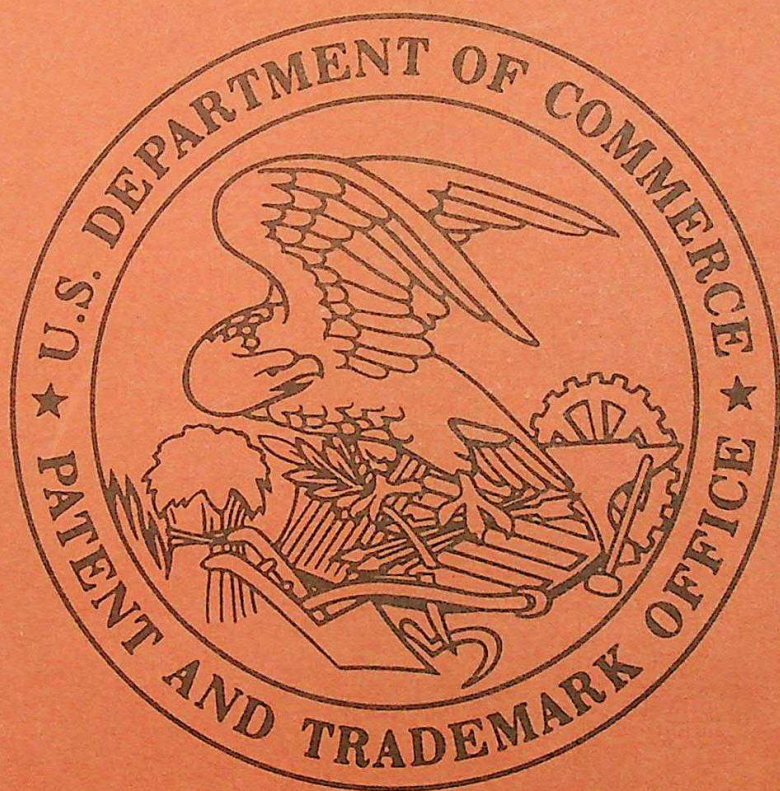


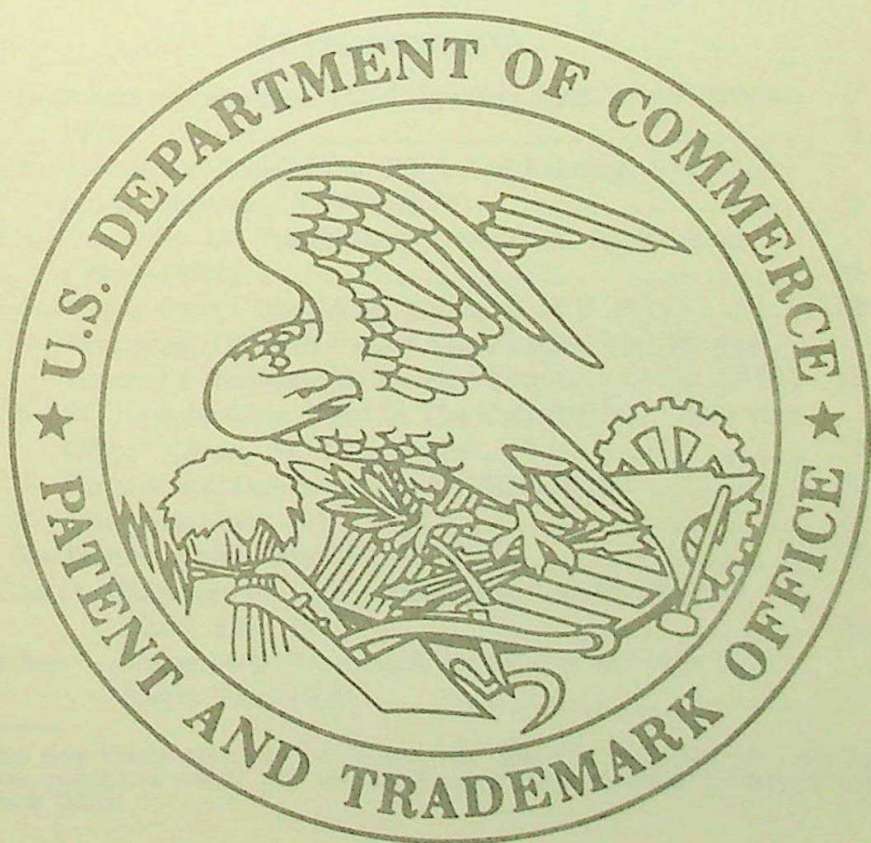
COMMISSIONER
OF PATENTS
AND TRADEMARKS
ANNUAL REPORT
FISCAL YEAR 1979





COMMISSIONER OF PATENTS AND TRADEMARKS ANNUAL REPORT FISCAL YEAR 1979

U.S. DEPARTMENT OF COMMERCE/PATENT AND TRADEMARK OFFICE





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January 1980

ANNUAL REPORT OF THE COMMISSIONER OF PATENTS AND TRADEMARKS

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* These flow charts are intended to give the reader a broad overview of the basic flow pattern of patent and trademark applications through the Patent and Trademark Office.

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** Due to the conversion of ADP systems within the Patent and Trademark Office, the patent and trademark *application* data relating to the U.S. filings by residents of foreign countries (Tables 9 and 14, respectively, in the FY 1978 Annual Report) were not available at the time of printing this Report. However, the data may be obtained by writing to "Commissioner of Patents and Trademarks, Washington, D.C. 20231, Attn: Office of Management and Organization". Future Annual Reports will include the data.

ANNUAL REPORT OF THE COMMISSIONER OF PATENTS AND TRADEMARKS *

FISCAL YEAR 1979

The Patent and Trademark Office (the "PTO") is a bureau of the United States Department of Commerce which administers both the patent and the trademark laws.

THE PATENT LAWS

The patent laws of the United States, enacted pursuant to authority found in Article 1, Section 8, clause 8 of the Constitution, are intended to encourage technological developments by providing incentives—incentives to invent, to invest, and to disclose new technology. These incentives are created by a statutory grant to an inventor of a limited, 17-year period of exclusivity in return for disclosure to the public of the details of an invention.

In administering the various patent laws, principal among which is Title 35 of the United States Code, the PTO performs the

- Examination of patent applications
- Issuance of patents when statutory criteria have been met
- Collection, assembly, and dissemination of patent information to the public.

Recently added by law to PTO functions have been those related to the Patent Cooperation Treaty, specifically to

- Serve as a receiving office for international applications filed under the Treaty
- Perform patent searches according to certain international standards
- Accord the legal rights and benefits required under the Treaty.

* This report summarizes the activities of the United States Patent and Trademark Office (the "PTO") during its fiscal year—October 1st through September 30th. All references to a specific year are to a fiscal year, unless noted otherwise.

THE TRADEMARK LAWS

Most of those who sell products or services recognize that they cannot prosper unless what they sell can be distinguished from that offered by others. The benefits of product improvement or satisfied customers are thus realized when competitors can avoid confusion in the marketplace as to the origin of their products or services. The United States trademark laws are intended to prevent this possible confusion by fostering public awareness of the source of products and services.

The first Federal law providing for the registration of trademarks was enacted in 1870. In doing so Congress recognized the importance of source identification to an ordered and healthy economy. The protection afforded by the trademark registration is one of the critical factors considered by individuals and businesses when they commit massive expenditures for major marketing efforts and increased production of goods and services.

The Patent and Trademark Office presently administers the provisions of the Trademark Act of 1946 (the "Lanham Act") by the

- Examination of applications for the registration of trademarks
- Registration and maintenance of those trademarks which meet the statutory criteria
- Resolution of legal disputes between parties concerning trademark registration rights
- Dissemination of trademark information to the public.

THE PRIMARY OBJECTIVES OF THE PATENT AND TRADEMARK OFFICE

The primary objectives of the Patent and Trademark Office in administering the patent laws and the Lanham Act relate to

- Quality
- Pendency
- Information Dissemination
- International Cooperation.

—QUALITY

"Quality" affects confidence in the patent and trademark laws since the principal purpose of these laws is to stimulate economic development by encouraging investment in technology (patents) and by pro-

viding legal protection for trademarks used in identifying the source of new products and services. There may well be little investment based on patents and trademarks if confidence in them is low—and confidence will be low if quality is perceived to be poor.

The quality of a patent or a trademark, in a narrow sense, is the ability to withstand legal challenge. While the legality of only a very small percentage of patents and trademarks is ever involved in court decisions, the actual "quality" of those litigated patents and trademarks is only symptomatically related to the overall quality of the PTO examination processes. The true measure of patent and trademark quality may be in the collective minds of the users and potential users of the patent and trademark systems.

The primary components of the activities of the Patent and Trademark Office which address the issue of quality can be grouped as follows:

- Quality Review
- Regulations Concerning the Duty of Disclosure
- Reexamination of Patents in Reissue Applications
- Patent Search File—Reclassification and Integrity
- Trademark Search File—Reclassification and Integrity
- Mechanized Search Systems Development
- Miscellaneous Procedures.

• Quality Review

An on-going Quality Review Program evaluates the quality of the product of the patent examination process and assists in determining whether there is need for substantive or procedural adjustments in any area of the process. Generally, the objectives of the program are to

- prevent the allowance of unpatentable applications
- improve public confidence in the certainty and reliability of issued patents
- detect trends away from normal examining practice
- provide feedback information to examining corps personnel
- emphasize to examining corps personnel the importance of quality
- compile data on the "quality" of the patent examination process.

The Quality Review Program presently takes a random sample of four percent of all "allowed applications", i.e., applications awaiting issuance as patents, and provides data on the

- patentability of the invention
- correctness of the technological areas searched
- compliance with current Office practices and procedures.

Of those applications reviewed during FY 1979, four percent were found to have been allowed in error. The Quality Review Program thus is a useful supplement to the normal quality review performed by the immediate supervisors of examining personnel. These supervisors, of course, play a key role in monitoring patent quality.

- **Regulations Concerning the Duty of Disclosure**

PTO regulations define the affirmative duty of candor and good faith which patent applicants and their professional representatives owe with regard to the disclosure of information, of which they are aware, that is likely to be of importance to the PTO's patent examining personnel. During FY 1979, about 60-65% of all applications for patents contained some patentability information supplied by applicants.

Those patent applications believed to involve a possible violation of the disclosure regulations are referred to the Office of the Assistant Commissioner for Patents for close scrutiny. During the fiscal year, 171 patent applications were so referred. Of the 45 applications disposed of by the Assistant Commissioner's Office during FY 1979, twenty-three were abandoned, twenty were not stricken from the files, and two were stricken.

- **Reexamination of Patents in Reissue Applications**

Office regulations afford patent owners a procedural opportunity to obtain a ruling from the PTO on the pertinence of patentability evidence after their patents have been issued. This procedure involves the filing of a reissue patent application by the patent owner and "publication" of the application by the PTO for public comment. In this manner, the usual "ex parte" nature of the patent procurement process takes on some of the trappings of an "inter partes" proceeding, i.e., the PTO can rule on patentability in light of the arguments of both the patent applicant and those who have interests adverse to the applicant. The principal objectives of the "reissue practice" are to

- put patentability evidence before the PTO for evaluation in an effective and timely fashion
- broaden the public's opportunity for participation in the patent examination process without causing undue delay, harassment, or expense to the patent applicant.

Because of the usual commercial significance of the subject matter of most reissue applications, the standard four percent Quality Review sampling has been increased to a 25% sampling for all allowed reissue applications.

During the fiscal year new guidelines and procedures on the reissue practice were published. The various guidelines spelled out

- internal processing and handling of reissue applications in more detail
- procedures intended to ensure the prompt examination of all reissue applications, especially those involved in related litigation.

• Patent Search File—Reclassification and Integrity

To facilitate access to the approximately 4.4 million United States patents, these patents have been categorized ("classified") into about 400 broad technological groupings ("classes") and 103,000 specific technological subgroupings ("subclasses"). Together, these classes and subclasses form the structure of the classified patent search file.

Presently, through the mechanism of reclassification programs, selected portions of the search file are reviewed periodically to determine the need for new classifications which better correspond to the current state of a technology and its contemporary terminology; and which control the size of the subgroupings. These on-going programs constitute an in-depth analysis of all patents, old and new, in a given technology and a restructuring of the technological breakdowns so that each reclassification program increases the ease of access to, and reliability of, the patent search file. Reclassification programs during FY 1979 established 6,883 new subclasses.

The integrity of the patent search file used by PTO examining personnel in making their patentability determinations is critically related to the reliability of their work product—the issued patent. In FY 1979, an on-going program to upgrade the integrity of the patent search file and to improve the accuracy of the computer record relating to the contents of the file was accelerated. Approximately 3,500 subclasses containing about 875,000 patents were reviewed. As a result of this review, approximately 72,000 patent copies were added to the file to replace missing or mutilated documents.

The majority of the overall "searching" in the patent file is a manual operation involving the physical review of millions of paper copies of patent documents, which are constantly being withdrawn from the search file for comprehensive analysis and photoduplication. The drawbacks to this searching program are self-evident. Annually, the search file is supplemented by the influx of over 180,000 foreign patent documents and about 150,000 "non-patent" literature items, both of which must be studied, "classified", and physically filed. This annual influx, coupled with the FY 1979 addition of 220,000 new "original" and "cross reference" U. S. patents, has caused the patent search file, as of the

end of the fiscal year, to double in size in just the last decade to approximately 24 million documents.

- **Trademark Search File—Reclassification and Integrity**

The trademark search file is also presently a paper file which is used manually by trademark examining personnel and members of the public. The search file contains registered trademarks and trademarks for which applications are presently pending. A basic purpose of the trademark search file is to facilitate enforcement of Section 2(d) of the Lanham Act, which prohibits registration of trademarks which are confusingly similar to those trademarks previously registered.

If all trademark registration certificates and applications had to be searched before a new registration could be issued, the examination of each trademark application by the PTO would entail a search through over three million documents. The trademark search file is therefore organized alphabetically, and in many areas by classes of goods and services, to facilitate searching.

The integrity of the search file is maintained by placing new trademark applications and registrations into the file, as well as by removing cancelled and expired ones. Late in FY 1978 a special project was started to remove from the file a portion of the cancelled and expired trademark registrations. Such a purge had not been conducted in over a decade. In FY 1979 substantial progress was made on the project and completion is expected in the first half of FY 1980. A total of over half a million documents were removed from the trademark file.

- **Mechanized Search Systems Development**

PTO efforts in the development of mechanized search systems are presently concentrated in the areas of an on-line computer-based patent searching system and a Computer Controlled Microform Search System ("CCMSS").

The on-line searching system provides subject matter access to the U. S. patent classification system and thus increases the capability for subject matter searching of the patent file. The on-line system, or the so-called "mini-computer system," was expanded in FY 1979. Users of the system's video terminals can now key in a word or combination of words relating to the subject matter for which they are searching and have displayed a list of the subclasses which have those words in their titles. This not only provides those unfamiliar with the U. S. patent classification system with a new means of determining where to start searching, it also serves as a tool used by experienced searchers in expanding their searching into areas which might be otherwise overlooked. The mini-computer system was used during the fiscal year to

reprint in its entirety an up-to-date Manual of Patent Classification—for the first time in ten years. Subsequently, two revisions to the Manual were prepared to keep it current with the on-going reclassification programs.

CCMSS is utilized by Office examining personnel for searching indexed files on an experimental basis. A relatively recent upgrading and expansion of the system has extended its use to the searching of document files classified according to subject matter.

• **Miscellaneous Procedures**

Some relatively new internal Office procedures which enhance the quality and completeness of the patent examining process, and, accordingly, of issued patents, are:

- Statements by examining personnel of the reasons for allowing a patent;
- Remand of appealed patent applications from the PTO's Board of Patent Appeals to examining personnel for further consideration of allowed portions of an application;
- Appearance at oral hearings before the Board of Patent Appeals by examining personnel at the request of the Board or of such personnel; and
- Recordation in the official patent file of the substance of oral interviews between patent applicants and examining personnel; and more complete recordation of the areas of the patent search file and the specific documents of the file reviewed by such personnel during the examination process.

—**PENDENCY**

"Pendency" is a measure of the responsiveness of the Patent and Trademark Office in performing its primary statutory duties. It is that period of time between the filing of a patent or trademark application and the final PTO disposition of that application, which occurs because either

- the applicant abandons the application ("abandonment"), or
- the patent is granted or the trademark is registered.

The term pendency is normally used in the aggregate sense, i.e., it refers to the average pendency of all applications disposed of during a given period of time. Figures 1 * and 2 illustrate some of the significant quantifiable variables which affect pendency.

* Figure 1 refers to all types of "applications" and "patents", i.e., utility, reissue, design and plant.

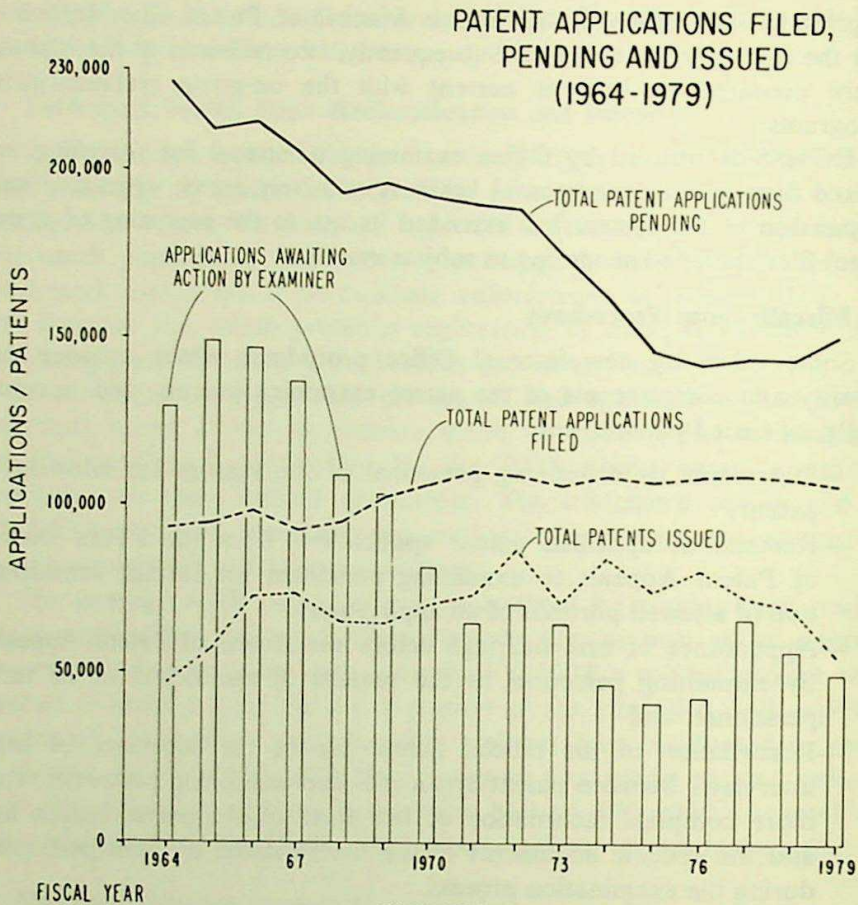
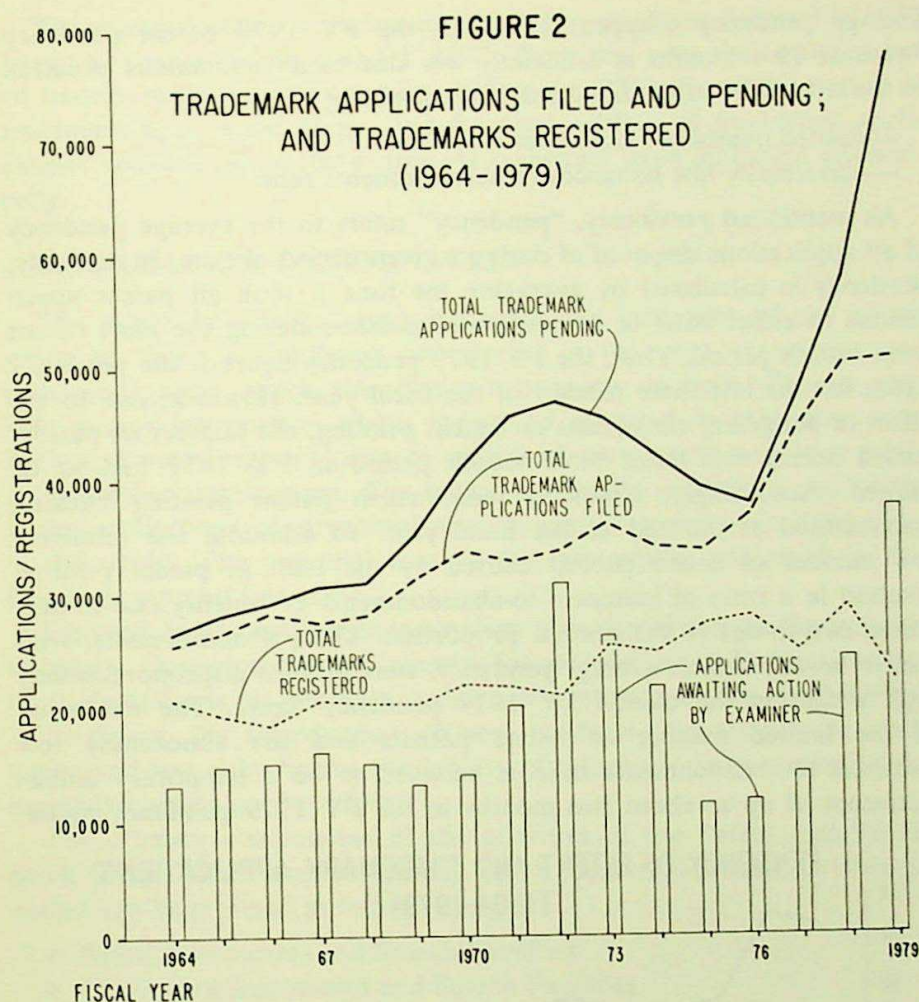


FIGURE 1

Since FY 1971, yearly patent application filings have remained relatively stable—varying between about 107 and about 109 thousand. As seen on the opposing page, during this same period trademark application filings have also been relatively stable, although to a lesser degree than patent applications—until FY 1976. After FY 1976 a marked increase in trademark filings has taken place, though this increase appeared to level off in FY 1979.

The total number of patents issued annually by the PTO has fallen progressively since FY 1976. The total reached a fifteen year low of 55,418 in FY 1979. In a somewhat similar fashion, there was an abrupt drop in registered trademarks experienced in FY 1979 from the prior year—from 28,921 to 22,210.



As illustrated on the next page in Figure 3 *, patent pendency stood at about 34.8 months in 1964. In other words, on the average, an inventor or company had to wait almost three years to obtain a patent on an invention. This delay was widely regarded as an impediment to the orderly and prompt development and marketing of new technology. The PTO developed a plan to reduce patent pendency to the lowest level that was believed consistent with efficient operations—18 months average pendency. Although this level was practically attained at the end of FY 1976, the downward trend in average pendency reversed direction in FY 1977 and FY 1978. Despite the FY 1979 increase in the total number of patent applications pending before the Office (Figure 1),

* Patent pendency times prior to FY 1976 are approximations.

average pendency dropped. However, the FY 1979 patent pendency figure of 19.4 months is artificially low due to an anomalous situation in the latter third of the fiscal year, occasioned by a

- limited number of issued patents, and an
- abnormally low issuances-to-abandonments ratio.

As mentioned previously, "pendency" refers to the average pendency of all applications disposed of during a given period of time. In actuality, pendency is calculated by averaging the time it took all patent applications to either issue or to become abandoned during the most recent three month period. Thus, the FY 1979 pendency figure is the pendency figure for the last three months of the fiscal year. However, due to the effect of budgetary constraints on patent printing, the number of patents issued during this latter three month period in FY 1979 had to be limited. Accordingly, almost a three-month patent printing backlog accumulated at the end of the fiscal year. In addition, the relatively low number of issued patents caused by the limit in patent printing resulted in a ratio of issuances-to-abandonments of roughly one-to-one, where two-to-one is the normal proportion. Thus, abandonments, with their relatively shorter average pendency, were given a disproportionately high weight in the overall FY 1979 pendency figure. The net result of the limited number of issued patents and the abnormally low issuances-to-abandonments ratio is believed to be a temporary understatement of up to about two months in the FY 1979 pendency figure.

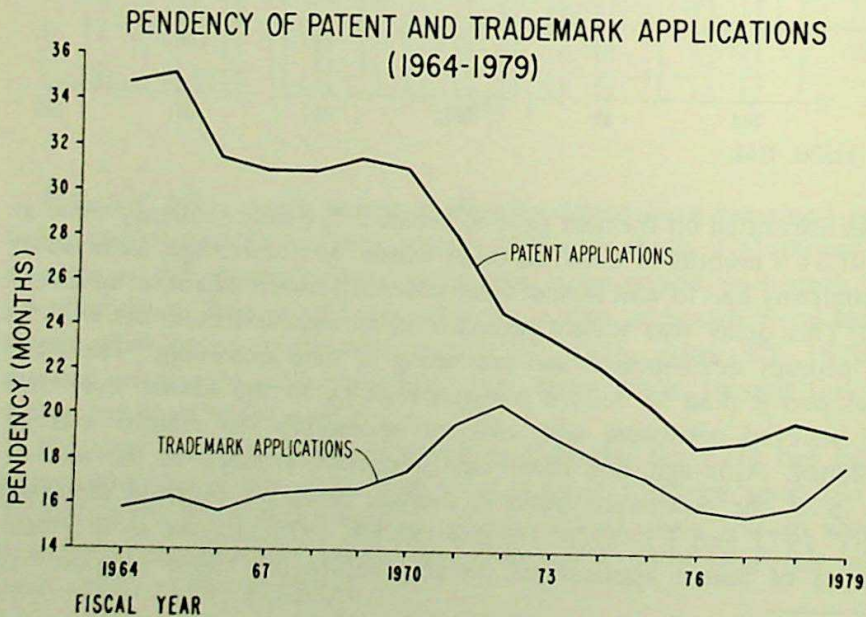


FIGURE 3

The gradual decline in trademark pendency experienced since FY 1972 began to change direction in FY 1977. Since that time the total number of trademark applications pending before the PTO, the total number of trademark application filings, and the total number of trademark applications awaiting action by examining personnel have increased dramatically.

—INFORMATION DISSEMINATION

The public knowledge secured through the incentives of the patent grant has been a significant contributor to the base of science and technology upon which this Nation's economy is built. Patents provide unique information which cannot be obtained in any other way. In fact, a very large majority of patents disclose technology not available in other publications. The patent search file represents one of the largest collections of organized and structured technological literature in the world. The potential uses of the information contained in this file are many and intriguing.

Trademark information dissemination also contributes to the national economy. One of the major reasons for maintaining a Federal register of trademarks is to promote order and certainty in the marketplace. Accordingly, the introduction of new products and services is made easier and less risky by the availability of information concerning trademarks in current use by others.

The primary components of the activities of the Patent and Trademark Office which concern patent and trademark information dissemination can be grouped as follow:

- Patent Disclosures and Search Facilities
 - Trademark Disclosures and Search Facilities
 - Technology Assessment and Forecast Program
 - Cooperative Dissemination Efforts
 - Accelerated Examination.
- **Patent Disclosures and Search Facilities**

The sale and distribution of printed copies of U. S. patents contribute in a major way to the fulfillment of the information dissemination objectives of the PTO. During the fiscal year 6.3 million copies of these patents were ordered by the general public, and were also distributed to libraries, foreign exchange programs and archives.

Regarding the distribution of patent copies, it should be mentioned that the PTO mails photocopies of pertinent patents with letters written by examining personnel on pending applications. These copies are often

retained by independent and corporate inventors as a valuable input to their technological data bases.

In addition to patent copy sales, the PTO issues a weekly publication, the Official Gazette for Patents (the "O.G."), which contains a brief description and a drawing (if applicable) taken from each of the 900-1,500 patents issued each week. The O.G. enjoys wide circulation among corporations, libraries, and law firms and serves as a first access point from which the majority of patent copy sales are generated. During the fiscal year 3,500 subscription copies of the O.G. were sold to the public.

The Public Patent Search Room of the PTO, located in Arlington, Virginia, contains the *only* complete collection of patent literature in the country filed according to subject matter. The Search Room is useful to inventors, who can determine on their own the state of relevant technologies prior to the filing of their patent applications or to the initiation of a research project. In similar fashion, the Search Room is also utilized by the various other members of the patent community—attorneys, agents, and professional searchers—as well as many scientists and engineers who are looking for a source of new or appropriate technology. On an average day during FY 1979, over 800 members of the public used this facility.

A significant element of the patent dissemination process consists of public patent depository libraries located throughout the country. These public libraries have built collections of patents arranged in numerical order which continue to grow through the receipt of current issues of patents distributed by the Patent and Trademark Office under subscription arrangements. During FY 1979, three patent depository libraries were added, bringing the national total to 32. These new libraries were the Memphis and Shelby County Public Library and Information Center, the California State Library in Sacramento and the Pennsylvania State University Library. Figure 4 contains a complete listing of the public patent depository libraries.

• Trademark Disclosures and Search Facilities

Copies of trademark registrations and applications are provided by the PTO to the public in furtherance of the trademark information dissemination objectives of the Office. Manufacturers, merchants, and consumers all use and benefit from this information in clearing new trademarks they are considering adopting. Aside from the purely "informational" use of these copies, trademark information is also necessary as the basis for filing foreign trademark applications and for litigation of trademark infringement actions and the like. During FY

1979 about 215,000 copies of trademark applications and registrations were provided by the PTO.

Many additional thousands of copies of trademark registration and application information are made by businesses and the general public on coin-operated photocopiers in the Trademark Search Room at the PTO. The Search Room contains the *only* complete publicly available system of U. S. trademark registration and application information in the world. Use can be made of the indices and organizational system of the Trademark Search Room to effectively go through the almost three million documents on file to ensure that trademarks chosen are not confusingly similar to those already adopted by others.

PUBLIC PATENT DEPOSITORY LIBRARIES	
ALABAMA Birmingham Public Library	NORTH CAROLINA Raleigh - D. H. Hill Library (N. C. State Univ.)
CALIFORNIA Los Angeles Public Library Sacramento - Cal. State Library Sunnyvale Patent Library	OHIO Cincinnati & Hamilton County Public Library Cleveland Public Library Columbus - Ohio State Univ. Library Toledo/Lucas County Public Library
COLORADO Denver Public Library	OKLAHOMA Stillwater - Okla. State Univ. Library
GEORGIA Atlanta - Price Gilbert Mem. Library (Ga. Inst. of Tech.)	PENNSYLVANIA Philadelphia - Franklin Inst. Library Pittsburgh - Carnegie Library Univ. Park - Pattee Library (Pa. State Univ.)
ILLINOIS Chicago Public Library	RHODE ISLAND Providence Public Library
MASSACHUSETTS Boston Public Library	TENNESSEE Memphis & Shelby County Public Library & Info. Ctr.
MICHIGAN Detroit Public Library	TEXAS Dallas Public Library Houston - The Fondren Library (Rice Univ.)
MISSOURI Kansas City - Linda Hall Lib. St. Louis Public Library	WASHINGTON Seattle - Eng'g. Library (Univ. of Wash.)
NEBRASKA Lincoln - Love Library (Univ. of Neb. - Lincoln)	WISCONSIN Madison - Kurt F. Wendt Eng'g. Library (Univ. of Wisc.) Milwaukee Public Library
NEW JERSEY Newark Public Library	
NEW YORK Albany - N. Y. State Library (Univ. of the State of N. Y.) Buffalo & Erie County Public Library New York City Public Library	

FIGURE 4

In addition to trademark copy sales and search file accessibility, the PTO makes trademark information available through the weekly publication of the Official Gazette for Trademarks, which contains information concerning pending trademark applications, issued registrations, and other trademark matters.

• **Technology Assessment and Forecast Program**

The purpose of the Technology Assessment and Forecast Program is to

- stimulate the use of the patent file
- assemble, analyze, and make available meaningful data about the file and trends in patented technology.

In carrying out this purpose the PTO's Office of Technology Assessment and Forecast ("OTAF") has assembled a master data base covering all U. S. patents and the patents of selected foreign countries. OTAF uses the data base in two principal ways, to

- issue periodic general distribution reports
- prepare special reports tailored to individual needs.

In FY 1979, the ninth in a series of OTAF general distribution reports was published. The report identified the most patent-active technologies and those technologies in which foreign resident inventors were receiving the highest share of U. S. patents. The report also contained extensive technical discussion of the activity, as evidenced by patenting, in ferrous metal technologies. Also reviewed were recent domestic and independent inventor patenting trends, and efforts to use patents as a resource for appropriate technology transfer to small business and developing countries. In addition to the ninth report, 172 special technology assessment reports were prepared by OTAF during the fiscal year for public and private organizations.

As a supplement to the type of information found in the OTAF ninth report, Figure 5 shows the inroads made on the United States patent system over the last fifteen years by foreign resident inventors. In FY 1979, thirty-eight percent of all patents issued by the United States went to residents of foreign countries.

• **Cooperative Dissemination Efforts**

The Patent and Trademark Office is involved in several cooperative patent information dissemination arrangements which result in the more efficient and economic availability of a variety of patent information products and services. Various commercial organizations, in cooperation with the PTO, offer to industry patented technological information

in specialized form, e.g., patents on microfilm, patent abstract services, special "alerting" services in given technologies, etc.

During FY 1979 plans were completed for publishing patent classification definitions in microfiche and offering them for sale through the Superintendent of Documents. In this manner, this essential tool of the U. S. patent classification system will be available to the public at much lower cost and will permit cost free distribution through the regular government depository library system.

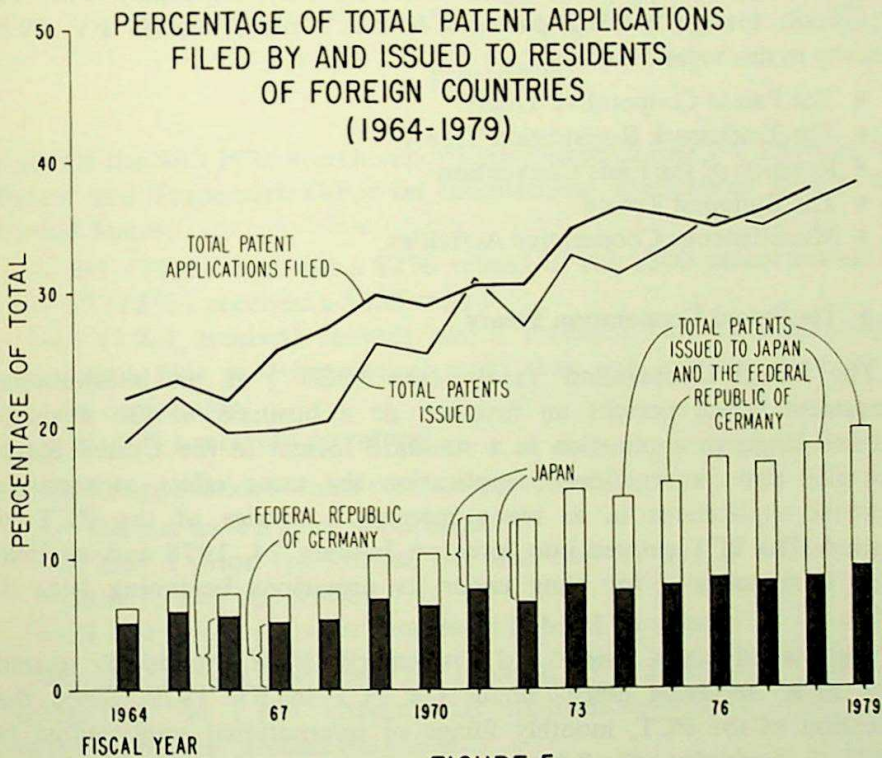


FIGURE 5

• Accelerated Examination

"Special" status has been accorded to all patent applications for inventions which materially

- enhance the quality of the environment
- contribute to the discovery, development, or efficient utilization and conservation of energy resources.

In FY 1979 such "special" status was accorded in 34 environmental-related and in 68 energy-related patent applications.

—INTERNATIONAL COOPERATION

The broad objective of U. S. foreign policy in the industrial property field is to provide more effective protection of the industrial property rights of United States nationals throughout the world. In conjunction with the Departments of State and Commerce, the PTO pursues this objective on a number of fronts.

PTO efforts have been directed toward developing simpler and less expensive means for U. S. businesses to secure and maintain protection of their industrial property rights internationally, especially with the significant foreign trading partners of the United States. FY 1979 activity in this regard included

- The Patent Cooperative Treaty
- The Trademark Registration Treaty
- Revision of the Paris Convention
- The Budapest Treaty
- Miscellaneous Cooperative Activities.

• The Patent Cooperation Treaty

The Patent Cooperation Treaty (the "PCT") is an international agreement which permits an inventor or a business to file a single English language application in a standard format in the United States and give that "international" application the same effect as separate national applications in as many member countries of the PCT as desired. The PCT entered into force on January 24, 1978 and applications were accepted for filing under its provisions beginning June 1, 1978.

The United States Patent and Trademark Office entered its second year as a "receiving office" under the PCT in FY 1979. Since the inception of the PCT, monthly filings of international applications in the U. S. "receiving office" have increased almost continuously, as seen in Figure 6. During the fiscal year, 971 international applications were received by the Office.

Under the PCT, the Patent and Trademark Office also serves as an "international searching authority" for international applications filed in the United States and Brazil. In this capacity, the PTO completed 471 PCT search reports during FY 1979. Eleven of these search reports were made for PCT applications filed in Brazil.

Provisions of the Treaty allow a discretionary refund of patent search fees by international searching authorities due to reliance by the authorities on an earlier patent search made in a national applica-

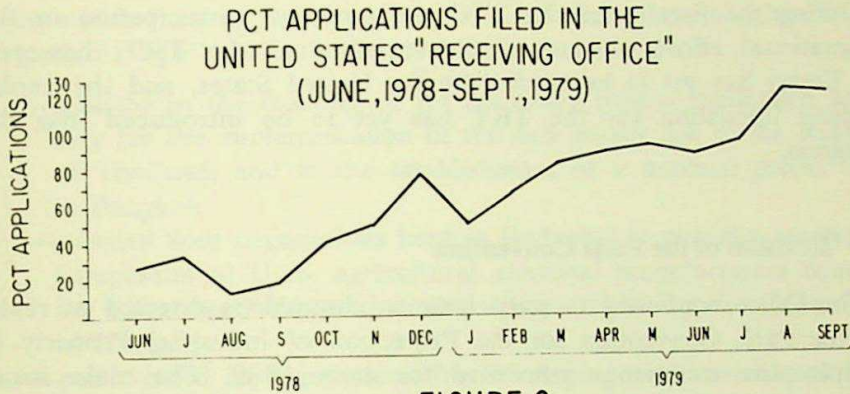


FIGURE 6

tion. Of the 460 PCT search reports completed during FY 1979 by the Patent and Trademark Office on international applications filed in the United States,

- 355 (77%) received a \$270 refund of the \$300 patent search fee
- 67 (15%) received a \$135 refund
- 3 (1%) received refunds which included part of supplemental search fees paid because of more than one claimed invention in an application
- 35 (7%) received no refund.

Of the 35 applications which received no refund,

- 5 did not have a prior application
- 8 had a prior application, but had not yet had a patent search made in that application
- 22 had earlier searches considered to be of no value.

During the fiscal year the PTO received notification that it had been "designated" in 1,327 international applications filed in other PCT "receiving offices" around the world.

• The Trademark Registration Treaty

The Trademark Registration Treaty (the "TRT") is a multilateral trademark filing arrangement, like PCT, which provides easier procedures for

- securing, administering, and maintaining national trademark registration effects in a number of member countries by the filing of a single international application
- securing a single international trademark registration
- maintaining a record of the international trademark registration on a central international register.

During the fiscal year the PTO continued its participation in the international efforts towards implementation of the TRT; however, the Treaty has yet to be ratified by the United States, and the implementing legislation for the TRT has yet to be introduced into the Congress.

• **Revision of the Paris Convention**

The Office continued to participate in discussions directed at revising the Paris Convention for the Protection of Industrial Property in a diplomatic conference scheduled for early 1980. The main issues under consideration include the

- problem of alleged conflicts between an “appellation of origin” and a trademark
- preferential treatment regarding fees and the “priority period” for developing countries
- further accommodation of “inventor’s certificates” in the Paris Convention
- exclusive non-voluntary licensing of patents.

• **The Budapest Treaty**

In the latter stages of the fiscal year, the United States deposited with the Director General of the World Intellectual Property Organization an instrument of acceptance of the Budapest Treaty on the deposit of microorganisms. The United States became the third “state” to ratify this Treaty, which will come into effect with the adherence to the Treaty of two further states. Under the Budapest Treaty, patent applications for microbiological inventions will be able to utilize a designated depository in any of the member countries to the Treaty. Thus, there will be no need to make more than one microbiological deposit in order to enforce patents in the countries which adhere to the Treaty.

• **Miscellaneous Cooperative Activities**

In joint cooperation with the Departments of State and Commerce, the World Intellectual Property Organization, and others, the PTO attempts to facilitate the effective protection of industrial property rights in developing countries and the efficient administration of various sys-

tems which regulate the protection and exercise of these rights. In this regard, during FY 1979 the Patent and Trademark Office

- assisted in the drafting of the operating patent regulations necessary for the implementation of the new patent law of the Republic of Thailand, and in the establishment of a national patent office in Bangkok
- assisted with negotiations held in Budapest to partially resolve the complaints of U. S. agricultural chemical manufacturers concerning the alleged disregard of their patent rights by the Government of Hungary
- participated in negotiations for developing an International Code of Conduct on the transfer of technology to developing countries, under the auspices of the United Nations Conference on Trade and Development
- participated in the completion of the second revision of the International Patent Classification
- received representatives from China, Ghana, Kenya, Korea, and Thailand for training and briefing on the operations of the PTO
- continued its cooperation with the development of the Brazilian Patent Office by sending two Office personnel to Brazil to serve as instructors for a period of six months each.

OTHER ACTIVITIES OF THE PATENT AND TRADEMARK OFFICE

In furtherance of its Constitutional and statutory mandates, the Patent and Trademark Office also directs its activities in the areas of

- Administrative Affairs
- Legal Affairs
- Legislative Affairs
- Financial Affairs
- Miscellaneous Activities.

• ADMINISTRATIVE AFFAIRS

Most of the administrative affairs of the PTO are centered in the Office of the Assistant Commissioner for Administration which

- advises the Commissioner on the formulation and application of management policies to the Office
- provides administrative, management, budgeting, operational, and automatic data processing support.

During the fiscal year, the noteworthy administrative activities included

- Office of Equal Employment Programs
- Zero Base Analysis of the PTO
- New Computer System
- New Trademark Printing System.

—Office of Equal Employment Programs

A new Office of Equal Employment Programs was established during the fiscal year under the supervision of the Deputy Commissioner of Patents and Trademarks. The functions of the office, consolidated from those which formerly resided in several offices, include responsibility for all EEO programs involving

- EEO complaint processes
- affirmative action plans
- upward mobility programs
- other special emphasis programs.

—Zero Base Analysis of the PTO

Under the Department of Commerce, a comprehensive Zero Base Analysis of the Patent and Trademark Office was conducted in order to improve the Office's

- program analysis and planning
- budget formulation
- operations and management.

—New Computer System

The Office accepted and placed into operational status a new computer system with the capacity for 2.5 billion characters of on-line disk storage. The new computer has approximately five times the capacity of the former system and will be used to meet the PTO five-year data processing needs. Currently, long term automatic data processing development is underway in several major areas, such as patent application processing support, trademark processing support, automation of patent and trademark ownership records, and a PTO office-wide integrated resource management system.

More specifically, a system to locate and monitor the status of all pending patent applications is presently being implemented. The system will use a network of about 275 computer terminals scattered throughout the PTO. All patent application files will carry bar code labels, which can be "read" electronically by hand-held instruments connected

through the network to the Office computer. By using keyboard entries at each terminal, the computer will be "informed" of status and location changes of all patent applications. The new system should improve internal management control and provide for better overall service to the public.

—New Trademark Printing System

An obsolete, costly hot metal system for printing trademark publications and registration certificates was converted to a computer-based processing and electronic photocomposition system, which will

- obtain a full-text machine-readable data base file
- improve control and timeliness for trademark application notices, issue slips, and registration certificate mailing labels
- realize an estimated \$350,000 annual savings in printing costs.

• LEGAL AFFAIRS

The legal affairs of the PTO are administered by the Office of the Solicitor, which represents the Patent and Trademark Office and the Commissioner before various judicial tribunals. The business of the Office of the Solicitor is diverse, and FY 1979 produced several noteworthy activities.

The patentability of living organisms as manufactures or compositions of matter under the present patent law remained an unsettled question. Raised for the second time when the U. S. Court of Customs and Patent Appeals (the "CCPA") vacated its original decisions in *In re Bergy* and *In re Chakrabarty*, the Court, on rehearing, again reversed the decisions of the Patent and Trademark Office. It was held, as previously, that living organisms are patentable as manufactures or compositions of matter under the present patent law. A combined petition for certiorari to review the decision of the CCPA in the two cases was filed in the Supreme Court.

The United States Court of Appeals for the District of Columbia Circuit ruled in *Irons & Sears v. Dann* that the Freedom of Information Act does not require the PTO to make available to the public decisions in pending or abandoned patent applications which relate to the filing date of the application. In another case, *Matsui v. Banner*, the same Court upheld the practice of the Office in refusing to accept the date of receipt of a patent application as its filing date if the application is received without a valid oath or declaration.

• LEGISLATIVE AFFAIRS

Legislative revision of the patent and trademark laws, as well as legislation affecting various other legal aspects of industrial property, are within the province of the PTO's Office of Legislation and International Affairs ("OLIA"). Working with the Department of Commerce, OLIA formulates and implements the legislative programs of the Office. FY 1979 produced activity in the areas of the

- Statutory Fees Charged by the PTO
- Trademark Trial and Appeal Board
- Reexamination of Patents.

—Statutory Fees Charged by the PTO

Following the publication of a report prepared by the General Accounting Office recommending higher patent fees, the Office began drafting the legislation necessary to accomplish this recommendation. The patent fees charged by the PTO are statutory and have not been changed since 1965. As seen in Figure 7, the constancy in the income generated from patent fees over the last fifteen years has led to a significant gap relative to the operating costs of the Office. The form of PTO fee legislation was to be determined during the President's Domestic Policy Review of Industrial Innovation, which was conducted under the leadership of the Department of Commerce during FY 1979.

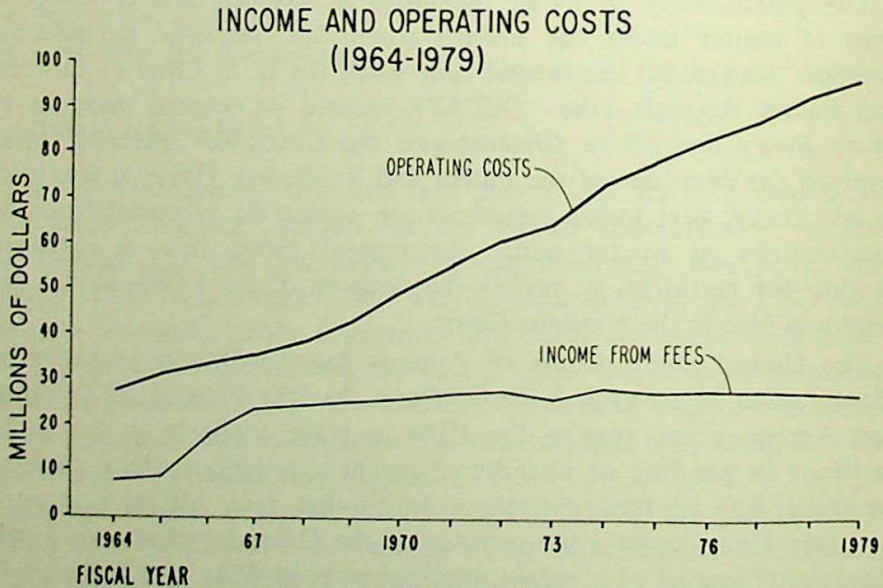


FIGURE 7

—Trademark Trial and Appeal Board

The PTO's Trademark Trial and Appeal Board (the "TTAB") hears appeals from the decisions of trademark examining personnel in refusing the registration of trademarks. The Board also tries "adversary proceedings" under the Lanham Act. There are four types of "adversary proceedings" under the Act: interferences, oppositions, cancellations, and concurrent use proceedings.

At the request of the PTO, a bill was reintroduced into the Congress during the fiscal year to ease the unnecessary eligibility restrictions for appointments of members to the TTAB. The bill was still pending at the end of the year.

—Reexamination of Patents

During the President's Domestic Policy Review of Industrial Innovation the PTO helped formulate a proposal for legislation to authorize the Office to reexamine issued patents. Under the proposal a patent could be reexamined at any time during its 17-year life at the request of any person who complied with certain requirements and paid a fee. A private sector advisory committee also urged enactment of such legislation as a part of the Domestic Policy Review. This work led to a Presidential recommendation to Congress shortly after the end of the fiscal year for enactment of reexamination legislation.

• FINANCIAL AFFAIRS

In FY 1979 the funds available to the Patent and Trademark Office totaled \$96,708,516—consisting of a regular appropriation of \$96,654,000, and reimbursements of \$54,516. By the end of the fiscal year, all but a minor fraction of these funds were obligated.

Under the accrual basis of accounting, or cost accounting, the total operating costs for the PTO in FY 1979 were \$96,229,182. Figure 8 illustrates the breakdown of these operating costs.

The fees collected by the PTO are deposited directly into the general fund of the United States Treasury, and do not accrue directly to the benefit of the Patent and Trademark Office. Figure 9 shows the breakdown of the \$27,111,713 in fees collected during FY 1979.

As a public service, deposit accounts are maintained at the Patent and Trademark Office to facilitate the transfer of funds from the public. At the end of the fiscal year, the balance in these accounts totalled \$2,501,851.

OPERATING COSTS (\$96,229,182)

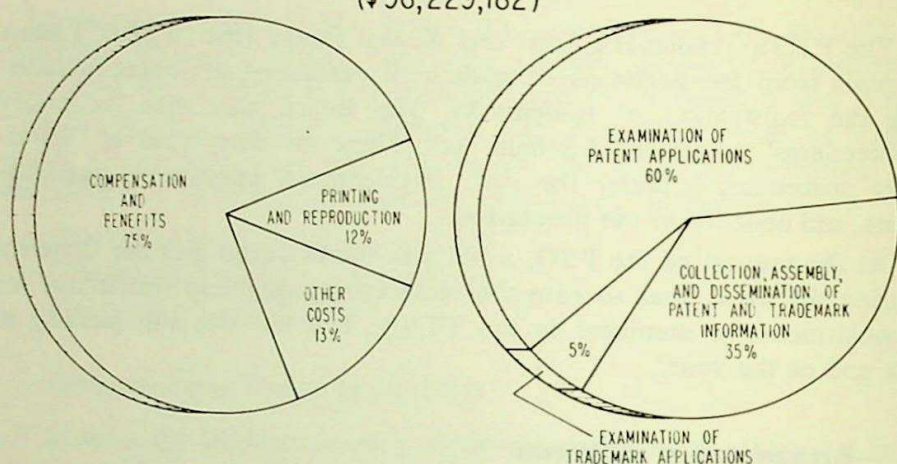


FIGURE 8

• MISCELLANEOUS ACTIVITIES

Among the highlights of the many miscellaneous activities of the PTO during FY 1979, note is made of the following:

—National Inventor's Day

This annual event included the dedication of new exhibits for the National Inventor's Hall of Fame. The 1979 inductees into the Hall of Fame, located in the Patent and Trademark Office, were:

- Jay W. Forrester, for his "Multi-Coordinate Digital Storage Information Device";
- Robert H. Goddard, posthumously, for his "Control Mechanism for Rocket Apparatus"; and
- Charles J. Plank and Edward J. Rosinski, for their "Catalytic Cracking of Hydrocarbons with a Crystalline Zeolite Catalyst Composite."

—Patentee Index on Microfilm

The Public Patent Search Room of the PTO installed a new computer-generated microfilm system for accessing patentee information, beginning with patents issued after January 3, 1978.

—Classified Patents on Solar Energy

Due to public demand for access to patents on solar energy these patents have been microfilmed and made available for public use.

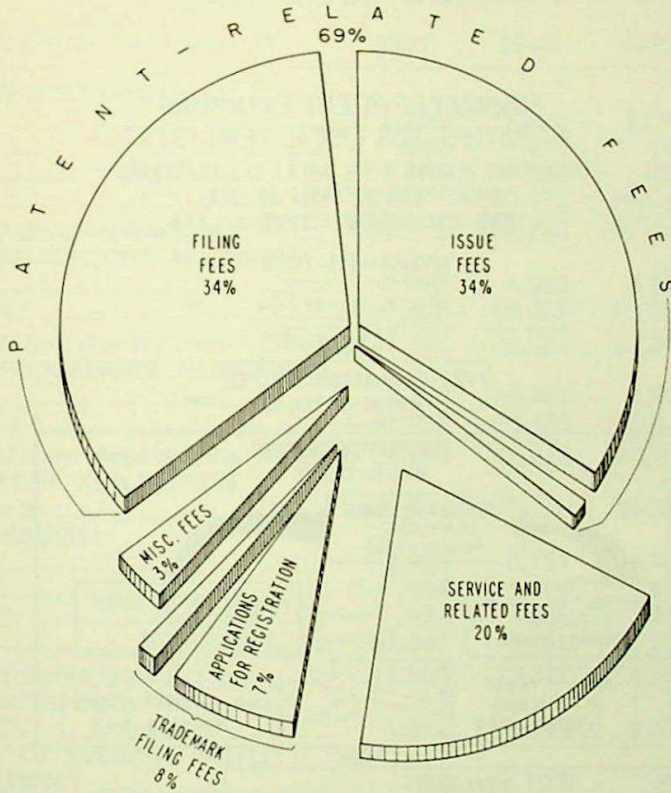
INCOME FROM FEES
(\$ 27,111,713)

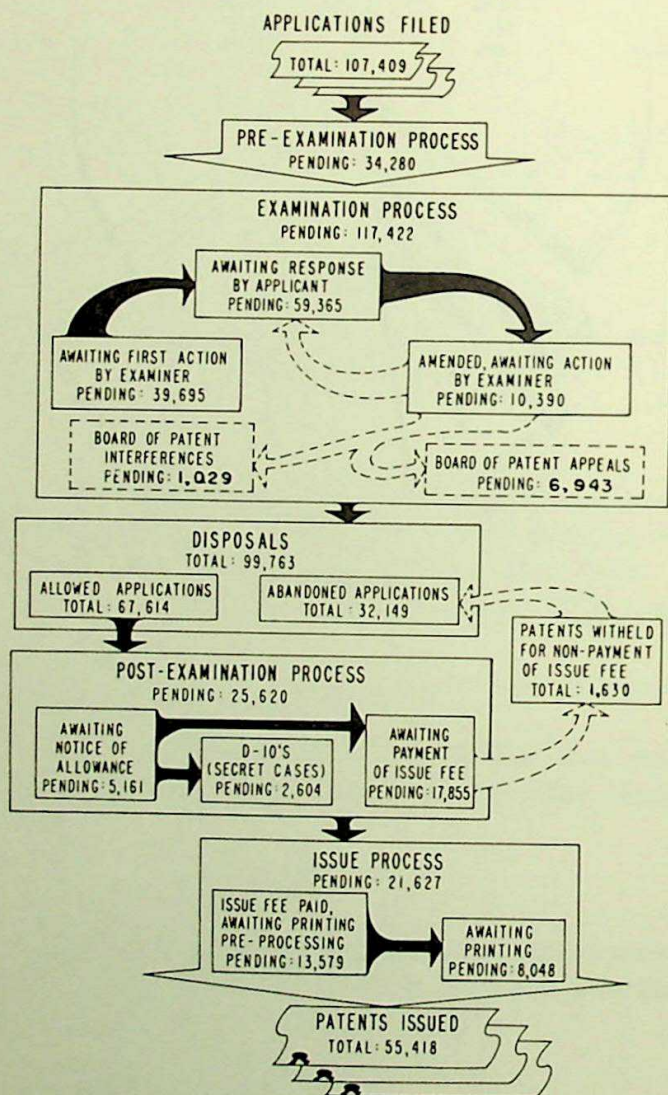
FIGURE 9

STATISTICAL DATA

PATENT INFORMATION

SUMMARY OF PATENT EXAMINING ACTIVITIES FOR FISCAL YEAR 1979*

(APPLICATIONS PENDING IN THE PATENT AND TRADEMARK
OFFICE AS OF SEPTEMBER 30, 1979)
TOTAL APPLICATIONS PENDING: 198,949



* This Flow Chart is Intended to Give the Reader a Broad Overview of the Basic Flow Pattern of Patent Applications through the PTO, and is a Compilation of the Data from the Following Two Tables.

Table 1.—SUMMARY OF PATENT EXAMINING ACTIVITIES
(As of September 30, 1979)

PATENT EXAMINING ACTIVITY	1977	1978	1979	AVERAGE 1970-79
PATENT APPLICATIONS FILED				
Design -----	7,186	7,440	7,070	6,291
Plant -----	202	171	166	150
Reissue -----	564	660	657	446
Utility ¹ -----	101,821	100,473	99,516	101,579
Total Patent Applications Filed --	109,773	108,744	107,409	108,466
PATENT APPLICATIONS ALLOWED ²				
Design -----	3,950	4,059	3,953	3,931
All Others ³ -----	67,800	68,022	63,661	71,811
Total Patent Applications Allowed	71,750	72,081	67,614	75,742
PATENT APPLICATIONS ABANDONED				
Design -----	1,732	1,761	1,889	1,704
All Others ³ -----	34,463	35,388	30,260	35,535
Total Patent Applns. Abandoned	36,195	36,149	32,149	37,239
TOTAL PATENT APPLICATION				
DISFOSALS -----	107,945	109,230	99,763	112,981
PATENTS ISSUED ⁴				
Design -----	4,260	3,797	3,269	3,714
Plant -----	164	194	151	154
Reissue -----	434	366	312	338
Utility -----	67,947	65,963	51,686	69,771
Total Patents Issued -----	72,805	70,320	55,418	73,977
PATENTS WITHHELD FROM				
ISSUANCE ⁵ -----	1,812	1,813	1,630	2,234
PENDENCY OF AVERAGE PATENT				
APPLICATION ⁶ -----	18.9	19.9	19.4	22.8

¹ General, Chemical, Electrical, and Mechanical Applications.

² "Allowed Patent Applications" are Applications Awaiting Issuance (i.e., Publication) as Patents.

³ Utility, Plant, and Reissue Applications.

⁴ Excludes Withdrawn Numbers.

⁵ For Non-Payment of Final Issue Fee (35 USC 151).

⁶ Average Pendency (Months) Between Filing and Issuance/Abandonment of Utility, Plant, and Reissue Applications.

Table 2.—SUMMARY OF PENDING PATENT APPLICATIONS
(As of September 30, 1979)

STAGE OF PROCESSING	DESIGN APPLNS.	ALL PAT. APPLNS. ¹
IN PRE-EXAMINING PROCESSING -----	1,394	34,280
UNDER EXAMINATION		
Amended, Awaiting Action by Examiner -----	359	10,390
Awaiting First Action by Examiner -----	8,177	39,695
Awaiting Response by Applicant -----	2,373	59,365
In Interference -----	3	1,029
On Appeal -----	112	6,943
Total Under Examination -----	11,024	117,422
IN POST-EXAMINATION PROCESSING		
Awaiting Notice of Allowance -----	337	5,161
Awaiting Payment of Issue Fee -----	409	17,855
D-10's (Secret Cases in Condition for Allowance) -----	0	2,604
Total in Post-Examination Processing -----	746	25,620
IN ISSUE PROCESSING		
Awaiting Printing Pre-Processing ² -----	644	13,579
Awaiting Printing -----	540	8,048
Total in Issue Processing -----	1,184	21,627
TOTAL IN PATENT AND TRADEMARK OFFICE ----	14,348	198,949

¹ Including Utility, Reissue, Design, and Plant Patent Applications.

² In the Patent and Trademark Office, with the Issue Fee Paid.

Table 3.—PATENT APPLICATIONS FILED (1960–79)

YEAR	UTILITY ¹	DESIGN	PLANT	REISSUE	TOTAL
1960 -----	78,995	4,567	117	219	83,898
1961 -----	80,842	4,605	106	223	85,776
1962 -----	84,864	4,963	131	270	90,228
1963 -----	84,620	4,841	149	277	89,887
1964 -----	87,482	5,067	147	207	92,903
1965 -----	88,908	5,319	89	237	94,553
1966 -----	93,022	5,187	103	266	98,578
1967 -----	88,167	4,774	100	241	93,282
1968 -----	90,252	4,889	107	304	95,552
1969 -----	96,342	5,432	103	376	102,253
1970 -----	100,116	5,722	113	344	106,295
1971 -----	103,733	6,057	161	266	110,217
1972 -----	102,663	6,358	166	293	109,480
1973 -----	100,900	5,541	109	382	106,932
1974 -----	103,479	4,948	109	391	108,927
1975 -----	101,283	5,751	163	465	107,662
1976 ² -----	101,807	6,838	144	438	109,227
1977 ² -----	101,821	7,186	202	564	109,773
1978 -----	100,473	7,440	171	660	108,744
1979 -----	99,516	7,070	166	657	107,409

¹ General, Chemical, Electrical, and Mechanical Applications.

² The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

Table 4.—PATENT APPLICATIONS PENDING ¹ (1960–79)

YEAR	AWAITING ACTION BY EXAMINER ²	TOTAL APPLNS. PENDING ³	YEAR	AWAITING ACTION BY EXAMINER ²	TOTAL APPLNS. PENDING ³
1960 -----	88,633	201,822	1970 -----	81,548	192,575
1961 -----	92,489	206,340	1971 -----	64,890	190,103
1962 -----	102,833	203,497	1972 -----	70,477	189,177
1963 -----	119,946	215,577	1973 -----	64,940	175,281
1964 -----	129,151	226,066	1974 -----	47,411	162,447
1965 -----	149,284	212,416	1975 ⁴ -----	41,916	146,464
1966 -----	147,664	214,664	1976 ⁴ -----	43,776	142,379
1967 -----	136,672	205,768	1977 -----	60,706	144,542
1968 -----	109,509	194,087	1978 -----	57,031	144,056
1969 -----	103,704	⁵ 196,338	1979 -----	50,085	151,702

¹ Pending at End of Period Indicated. Does not Include Allowed Applications.

² Through 1965, Includes Applications having Suspended Actions.

³ Includes Applications in Pre-Examination Processing.

⁴ The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

⁵ Revised.

Table 5.—PATENTS ISSUED ¹ (1960–79)

YEAR	UTILITY ²	DESIGN	PLANT	REISSUE	TOTAL
1960 -----	50,322	2,685	107	178	53,292
1961 -----	47,222	2,488	110	160	49,980
1962 -----	51,065	2,336	88	190	53,679
1963 -----	53,958	2,411	114	215	56,698
1964 -----	44,050	3,019	147	203	47,419
1965 -----	52,914	2,979	127	204	56,224
1966 -----	66,243	3,638	105	238	70,224
1967 -----	70,028	2,840	102	180	73,150
1968 -----	61,599	3,539	67	185	65,390
1969 -----	61,957	2,991	80	201	65,229
1970 -----	66,339	3,401	80	311	70,131
1971 -----	³ 70,387	3,097	77	222	³ 73,783
1972 -----	83,221	3,032	170	264	86,687
1973 -----	⁴ 67,552	3,441	146	274	⁴ 71,413
1974 -----	79,300	4,439	211	367	84,317
1975 -----	⁵ 70,179	3,632	155	398	⁵ 74,364
1976 ⁶ -----	⁵ 75,325	4,781	195	434	⁵ 80,735
1977 ⁶ -----	67,972	4,261	164	435	72,832
1978 -----	65,963	3,797	194	366	70,320
1979 -----	51,686	3,269	151	312	55,418

¹ Excludes Withdrawn Numbers Beginning with Fiscal Year 1978.

² General, Chemical, Electrical, and Mechanical Applications.

³ Does not Include 1,300 Voided Numbers.

⁴ Does not Include 1,356 Voided Numbers.

⁵ In 1965, Under the Trial Voluntary Protest Program (Now Abolished), an Additional 667 Applications were Published but not Issued; In 1978, there were 1,303 Published but not Issued.

⁶ The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

**Table 6.—PATENTS ISSUED TO RESIDENTS OF THE UNITED STATES
(1973–79) ¹**

STATE/TERRITORY	1973	1974	1975	1976 ²	1977 ²	1978	1979
Alabama -----	296	322	221	265	208	205	163
Alaska -----	25	29	30	34	26	29	18
American Samoa ---	7	11	13	13	5	4	3
Arizona -----	491	538	436	511	481	464	382
Arkansas -----	77	102	91	102	102	108	65
California -----	7,603	7,864	6,510	7,101	6,923	6,211	4,839
Canal Zone -----	6	5	8	5	2	4	4
Colorado -----	640	668	595	649	617	561	471
Connecticut -----	1,763	1,873	1,612	1,752	1,552	1,385	1,086
Delaware -----	542	588	461	513	413	384	264
Dist. of Columbia ---	81	74	88	83	70	62	58
Florida -----	1,052	1,166	1,059	1,085	1,096	1,051	798
Georgia -----	392	404	353	383	337	346	311
Guam -----	11	12	3	4	1	3	2
Hawaii -----	50	55	61	51	43	41	32
Idaho -----	123	111	99	94	80	73	60
Illinois -----	4,419	4,653	3,959	4,173	3,751	3,390	2,581
Indiana -----	1,297	1,374	1,172	1,177	1,069	998	813
Iowa -----	450	494	386	446	451	366	261
Kansas -----	358	404	362	351	302	307	256
Kentucky -----	323	336	343	323	281	288	227
Louisiana -----	348	518	357	404	352	319	266
Maine -----	63	76	76	61	52	71	53
Maryland -----	1,066	1,124	913	1,072	861	829	665
Massachusetts -----	2,320	2,421	2,062	2,192	1,860	1,758	1,475
Michigan -----	3,091	3,215	2,832	2,691	2,474	2,373	1,875
Minnesota -----	1,070	1,230	1,029	1,082	968	905	786
Mississippi -----	85	88	103	100	74	76	68
Missouri -----	802	851	712	728	651	687	474
Montana -----	62	36	60	48	45	65	35
Nebraska -----	143	153	147	140	130	119	108
Nevada -----	68	78	92	85	111	105	84
New Hampshire -----	176	195	165	171	176	170	137
New Jersey -----	4,298	4,320	3,723	4,188	3,687	3,594	2,719
New Mexico -----	127	144	81	145	116	104	68
New York -----	5,874	6,120	5,015	5,109	4,737	4,259	3,168
North Carolina -----	579	586	535	576	540	529	409
North Dakota -----	47	53	46	45	44	58	30
Ohio -----	3,548	3,815	3,215	3,223	2,898	2,761	2,026
Oklahoma -----	743	811	747	725	618	655	519
Oregon -----	436	433	348	357	328	349	281
Pennsylvania -----	3,807	3,982	3,578	3,583	3,223	3,029	2,277
Puerto Rico -----	29	25	25	14	25	25	15
Rhode Island -----	238	247	215	217	209	164	128
South Carolina -----	261	278	259	274	233	281	183

Table 6.—PATENTS ISSUED TO RESIDENTS OF THE UNITED STATES (1973–79) ¹—Continued

STATE/TERRITORY	1973	1974	1975	1976 ²	1977 ²	1978	1979
South Dakota -----	37	39	45	48	43	40	27
Tennessee -----	403	412	399	416	374	372	311
Texas -----	2,174	2,342	2,153	2,235	2,063	2,037	1,606
Utah -----	260	267	230	242	225	191	169
Vermont -----	103	115	76	70	75	79	61
Virgin Islands -----	7	6	19	7	9	4	7
Virginia -----	756	803	644	696	637	600	426
Washington -----	538	597	530	595	561	540	449
West Virginia -----	142	166	126	162	162	172	134
Wisconsin -----	1,228	1,239	1,041	948	882	846	618
Wyoming -----	28	39	34	43	38	31	32
U.S. Air Force -----	1	4	0	1	1	0	0
U.S. Army -----	2	1	0	0	0	0	0
U.S. Navy -----	0	0	0	0	0	1	0
TOTAL -----	54,960	57,812	49,494	51,808	47,292	44,482	34,383

¹ 1973 is a Calendar Year and does not include Reissue Patents, 1974–79 include Design, Plant, and Reissue Patents.

² The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

Table 7.—PATENT DOCUMENTATION ACTIVITY (1976–79)

DOCUMENTATION ACTIVITY	1976 ¹	1977 ¹	1978	1979
PATENTS RECLASSIFIED ²				
Cross-Reference U.S. Patents --	279,986	354,298	370,050	314,723
Foreign Patents -----	200,000	240,000	239,000	239,000
Original U.S. Patents -----	125,265	149,762	149,602	149,151
Total Patents Reclassified ---	605,261	744,060	758,652	702,874
SUBCLASSES ESTABLISHED -----	3,248	3,568	4,924	6,883

¹ The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

² Includes Only Those for which Final Classification Processing was Completed.

Table 8.*—PATENTS ISSUED BY THE UNITED STATES TO
RESIDENTS OF FOREIGN COUNTRIES
(1973-79)¹

COUNTRY	1973	1974	1975	1976 ²	1977 ²	1978	1979
Algeria	0	0	0	1	0	1	0
Argentina	30	26	32	22	24	46	90
Australia	214	252	253	299	272	297	252
Austria	237	263	275	339	297	287	221
Bahamas	10	16	17	9	5	8	7
Belgium	287	345	302	337	306	280	213
Bermuda	4	1	3	2	4	1	1
Bolivia	5	4	9	6	0	3	0
Brazil	19	19	22	20	25	30	12
Bulgaria	16	17	15	27	36	32	18
Burma	0	0	0	0	0	1	1
Cameroon	0	0	0	0	0	0	0
Canada	1,449	1,511	1,324	1,411	1,383	1,338	1,105
Chile	5	6	5	7	2	4	3
China, Peoples Rep. ..	0	0	0	0	2	0	1
Colombia	7	10	6	4	6	12	5
Congo	0	3	4	12	11	1	0
Costa Rica	0	1	2	8	0	1	11
Cuba	0	1	1	1	1	3	1
Cyprus	0	0	2	1	2	1	0
Czechoslovakia	95	105	121	110	109	93	52
Dahomey	0	0	1	1	0	0	0
Denmark	164	184	176	210	172	183	133
Dominican Republic ..	2	3	1	0	1	1	0
Egypt	2	3	1	4	1	0	1
El Salvador	1	1	1	5	3	2	5
Equador	3	6	6	7	1	0	1
Ethiopia	0	0	0	0	2	2	0
Finland	95	121	102	112	99	141	85
France	2,189	2,548	2,399	2,666	2,255	2,225	1,728
Germany, Dem. Rep. ..	0	0	0	0	1	3	0
Germany, Fed. Rep. ..	5,661	6,360	5,780	6,800	5,902	5,883	4,935
Greece	14	19	3	17	11	11	7
Guatemala	7	9	3	5	3	4	0
Guinea	0	1	0	0	1	1	0
Haiti	0	1	4	4	1	0	2
Honduras	2	1	0	1	1	1	1
Hong Kong	22	23	19	46	32	33	30
Hungary	46	51	64	66	69	82	57
Iceland	2	1	5	6	3	13	35

Table 8.*—PATENTS ISSUED BY THE UNITED STATES TO
RESIDENTS OF FOREIGN COUNTRIES
(1973-79) ¹—Continued

COUNTRY	1973	1974	1975	1976 ²	1977 ²	1978	1979
India -----	21	20	17	14	16	20	15
Indonesia -----	8	10	6	5	0	4	5
Iran -----	5	4	4	5	3	5	8
Ireland -----	31	25	26	34	21	32	21
Israel -----	96	94	95	119	97	107	92
Italy -----	791	900	762	866	810	761	638
Ivory Coast -----	1	1	0	0	1	0	0
Jamaica -----	1	1	1	0	3	3	1
Japan -----	5,157	5,964	5,899	7,383	6,462	7,099	5,827
Jordan -----	0	0	0	0	0	1	1
Kenya -----	1	0	0	2	1	0	0
Korea, Rep. of -----	5	10	8	9	5	14	9
Kuwait -----	0	0	1	0	0	1	2
Lebanon -----	1	1	7	4	0	3	0
Liberia -----	0	0	0	0	0	1	0
Libya -----	0	0	1	0	1	2	0
Liechtenstein -----	14	12	10	14	10	12	10
Luxembourg -----	6	18	13	20	14	21	19
Madagascar -----	0	0	0	0	0	1	1
Malaysia -----	0	1	0	3	2	5	2
Mali -----	0	0	0	0	0	2	0
Mauritania -----	0	0	1	0	0	0	0
Mexico -----	42	50	71	78	65	42	39
Monaco -----	2	2	9	8	5	9	1
Morocco -----	3	2	1	0	4	1	1
Netherlands -----	707	778	665	709	770	680	579
New Zealand -----	25	22	24	37	32	46	28
Nicaragua -----	2	0	1	3	2	3	0
Nigeria -----	0	0	1	1	1	3	1
Norway -----	97	97	106	110	113	103	89
Pakistan -----	0	1	0	2	1	0	0
Panama -----	0	1	5	4	3	0	1
Paraguay -----	1	0	0	0	1	1	0
Peru -----	3	1	5	8	6	1	3
Philippines -----	14	15	7	8	10	8	6
Poland -----	25	27	32	35	26	29	30
Portugal -----	2	4	7	5	3	5	1
Rhodesia -----	0	1	2	1	4	1	0
Romania -----	25	34	21	15	20	11	7
Saudia Arabia -----	1	0	2	0	3	0	1
Senegal -----	0	0	0	0	0	0	1
Singapore -----	7	9	6	4	3	5	2
South Africa -----	89	95	74	89	81	86	67
Soviet Union -----	383	444	454	435	399	386	398
Spain -----	89	99	87	105	114	95	63

**Table 8.*—PATENTS ISSUED BY THE UNITED STATES TO
RESIDENTS OF FOREIGN COUNTRIES
(1973-79) ¹—Continued**

COUNTRY	1973	1974	1975	1976 ²	1977 ²	1978	1979
Sri Lanka -----	1	1	0	0	2	0	0
Sudan -----	0	1	2	0	1	0	0
Sweden -----	793	944	939	1,118	1,005	918	680
Switzerland -----	1,351	1,580	1,354	1,603	1,438	1,374	1,107
Syria -----	0	0	0	1	0	0	0
Taiwan -----	11	17	28	29	49	40	35
Tanzania -----	0	0	0	0	1	0	0
Thailand -----	0	0	2	1	3	0	1
Trinidad & Tobago --	3	3	3	1	3	4	4
Tunisia -----	1	0	0	0	1	0	0
Turkey -----	5	3	0	0	2	1	1
Uganda -----	0	0	1	1	0	0	0
United Kingdom ---	2,931	3,242	3,071	3,443	2,831	2,850	2,203
Uruguay -----	2	1	1	2	0	0	0
Venezuela -----	6	7	9	2	9	8	13
Viet Nam, Rep. of --	0	1	2	1	1	1	0
Yemen -----	0	0	0	0	0	0	1
Yugoslavia -----	6	8	10	5	7	9	7
Zambia -----	1	0	0	1	0	0	0
TOTAL -----	23,344	26,464	24,821	28,909	25,513	25,838	21,035

* Due to the Conversion of ADP Systems within the PTO, the Patent Application Data Relating to the U.S. Filings by Residents of Foreign Countries (Table 9 in the FY 1978 Annual Report) were not Available at the Time of Printing this Report. However, the Data may be Obtained by Writing to "Commissioner of Patents and Trademarks, Washington, D.C. 20231, Attn: Office of Management and Organization". Future Annual Reports will Include the Data.

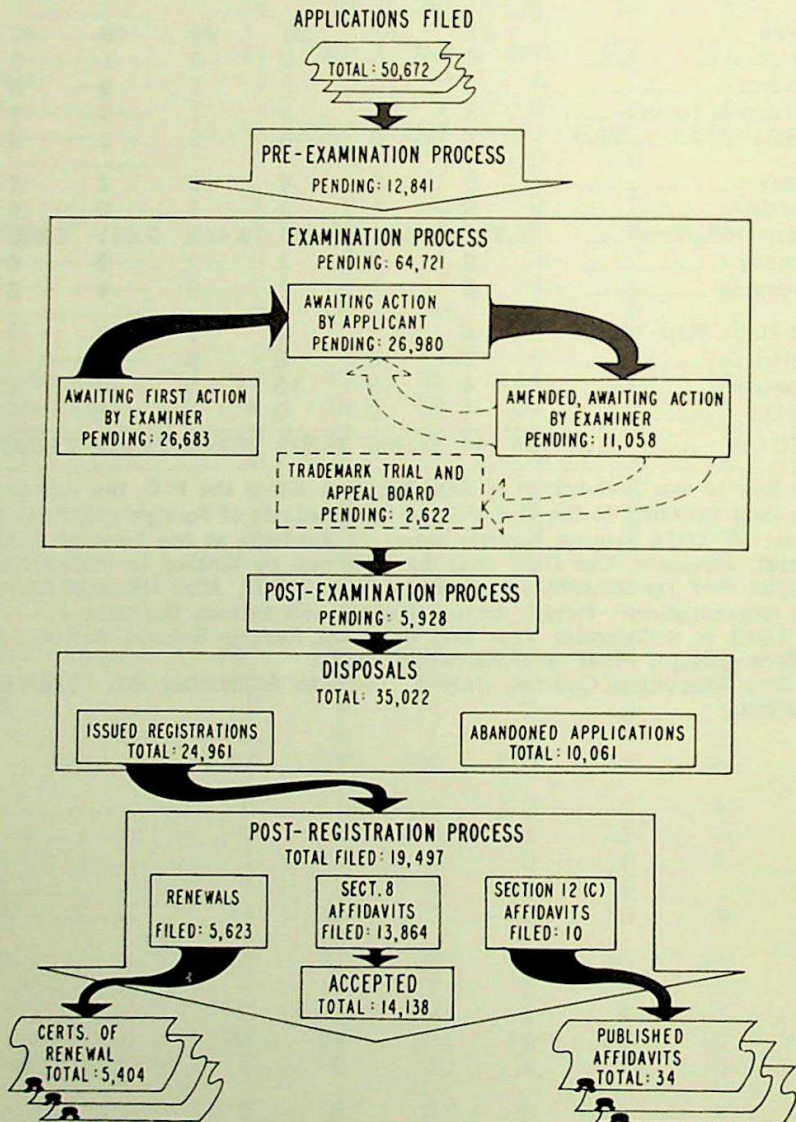
¹ 1973 is a Calendar Year and does not Include Reissue Patents. 1974-79 Include Design, Plant, and Reissue Patents.

² The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

TRADEMARK INFORMATION

SUMMARY OF TRADEMARK EXAMINING
ACTIVITIES FOR FISCAL YEAR 1979*

(APPLICATIONS PENDING IN THE PATENT AND TRADEMARK
OFFICE AS OF SEPTEMBER 30, 1979)
TOTAL APPLICATIONS PENDING: 83,490



* This Flow Chart is Intended to Give the Reader a Broad Overview of the Basic Flow Pattern of Trademark Applications through the PTO, and is a Compilation of the Data from the Following Two Tables.

Table 9.—SUMMARY OF TRADEMARK EXAMINING ACTIVITIES
(As of September 30, 1979)

TRADEMARK EXAMINING ACTIVITY	1977	1978	1979	AVERAGE 1970-79
TRADEMARK AFFIDAVITS FILED				
Under Section 8 -----	13,463	13,351	13,864	13,765
Under Section 12(c) -----	30	77	10	48
Total TM Affidavits Filed ---	13,493	13,428	13,874	13,813
TRADEMARK APPLICATIONS FILED				
For Registration -----	44,539	50,106	50,672	38,704
For Renewal -----	5,854	5,567	5,623	5,931
Total TM Applications Filed -	50,393	55,673	56,295	44,635
TRADEMARK AFFIDAVIT DISPOSALS				
Under Section 8 -----	12,796	9,681	7,560	12,074
Under Section 12(c)				
Abandoned -----	3	0	3	1
Published -----	21	84	34	61
Total TM Affid. Disposals ---	12,820	9,765	7,597	12,136
TRADEMARK APPLN. DISPOSALS				
For Registration				
Abandoned -----	9,055	8,287	10,061	8,542
Registered -----	27,431	31,623	24,961	27,032
For Renewal -----				
Abandoned -----	18	52	32	65
Renewed -----	6,251	5,254	5,404	5,927
Total TM Appln. Disposals --	42,755	45,216	40,458	41,566
CERTIF. OF REGIS. ISSUED				
Principal Register -----	24,256	28,236	21,496	23,862
Supplemental Register -----	770	685	714	814
Total Cert. of Reg. Issued --	25,026	28,921	22,210	24,676
PENDENCY OF AVERAGE TM APPLN. ¹				
Between Filing and Examiner's				
First Action -----	3.0	6.0	10.2	² 4.1
Between Filing and Regis./Aband.	15.7	16.2	17.9	17.2

¹ Average Pendency in Months.

² Average for 1975 to 1979 Only.

**Table 10.—SUMMARY OF PENDING TRADEMARK APPLICATIONS
AND TRADEMARK AFFIDAVITS
(As of September 30, 1979)**

STAGE OF PROCESSING	APPLICATIONS		AFFIDAVITS	
	FOR REGIS.	FOR RENEWAL	UNDER SECT. 8	SECT. 12(c)
IN PRE-EXAMINATION PROCESSING -----	12,841	-----	-----	-----
UNDER EXAMINATION				
Amended, Awaiting Action by Examiner -----	11,058	0	0	0
Awaiting First Action by Examiner -----	26,683	505	1,736	0
Awaiting Subsequent Action (By Applicant, on Appeal, in Adversary Proceedings, in Clerical Processing) -----	26,980	368	1,300	1
Total Under Examination	64,721	873	3,036	1
IN POST-EXAMINATION PROCESSING (Includes All Applications in All Phases of Publication and Issue) -----	5,928	623	0	2
TOTAL IN PATENT AND TRADEMARK OFFICE -----	83,490	1,496	3,036	3

**Table 11.—TRADEMARK APPLICATIONS FILED FOR REGISTRATION
AND RENEWAL; AND TRADEMARK AFFIDAVITS FILED
(1960-79)**

YEAR	FOR REGIS.	FOR RENEWAL	SECTION 8 AFFIDAVIT	SEC. 12(c) AFFIDAVIT
1960 -----	23,242	3,972	12,573	419
1961 -----	23,169	3,476	14,581	423
1962 -----	24,866	3,138	14,720	337
1963 -----	24,224	2,604	12,752	311
1964 -----	25,574	2,824	12,055	261
1965 -----	26,657	3,049	13,923	308
1966 -----	28,438	3,695	13,705	518
1967 -----	27,628	3,844	11,156	341
1968 -----	28,292	4,089	12,116	231
1969 -----	31,268	6,267	13,890	90
1970 -----	33,807	6,329	14,283	59
1971 -----	32,803	6,189	12,263	76
1972 -----	33,741	5,980	13,256	46
1973 -----	36,204	5,614	13,605	74
1974 -----	34,193	5,633	13,259	55
1975 -----	33,898	5,687	14,644	29
1976 ² -----	37,074	6,833	15,665	24
1977 ² -----	44,539	5,854	13,463	30
1978 -----	50,106	5,567	13,351	77
1979 -----	50,672	5,623	13,864	10

¹ Revised.

² The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

**Table 12*.—TRADEMARKS REGISTERED BY THE UNITED STATES
TO RESIDENTS OF FOREIGN COUNTRIES
(1977-79)**

COUNTRY	1977	1978	1979
Albania -----	0	0	0
Argentina -----	7	9	6
Australia -----	35	48	38
Austria -----	56	14	28
Bahamas -----	1	1	0
Belgium -----	14	27	22
Bermuda -----	2	1	0
Brazil -----	11	15	17
Bulgaria -----	0	0	0
Canada -----	263	257	257
Central African Republic -----	2	0	0
Chile -----	0	1	0
China, Peoples Rep. of -----	3	2	3
Colombia -----	2	1	3
Costa Rica -----	0	1	0
Cuba -----	0	0	0
Czechoslovakia -----	1	2	3
Denmark -----	31	38	32
Dominican Republic -----	0	0	0
El Salvador -----	0	1	2
Finland -----	9	11	13
France -----	349	283	248
Germany, Dem. Rep. of -----	13	0	0
Germany, Fed. Rep. of -----	345	336	345
Greece -----	5	4	1
Guam -----	0	0	0
Guatemala -----	0	0	0
Haiti -----	0	0	0
Honduras -----	0	0	0
Hong Kong -----	16	31	31
Hungary -----	0	1	1
Iceland -----	0	1	2
India -----	2	4	1
Indonesia -----	0	0	0
Iran -----	0	0	0
Ireland -----	12	9	10
Israel -----	12	7	6
Italy -----	134	130	137
Jamaica -----	0	0	1
Japan -----	306	247	231
Kenya -----	0	0	0
Korea, Republic of -----	2	1	11
Kuwait -----	0	0	0
Lebanon -----	0	0	0
Liechtenstein -----	2	11	5

Table 12*.—TRADEMARKS REGISTERED BY THE UNITED STATES
TO RESIDENTS OF FOREIGN COUNTRIES
(1977-79)—Continued

COUNTRY	1977	1978	1979
Luxembourg -----	0	1	0
Madagascar -----	0	0	0
Malaysia -----	0	0	0
Mexico -----	32	28	35
Monaco -----	0	1	0
Nauru -----	0	0	0
Netherlands -----	52	44	70
New Zealand -----	7	7	6
Norway -----	18	11	5
Panama -----	3	1	1
Peru -----	0	0	2
Philippines -----	0	0	1
Poland -----	0	3	0
Portugal -----	4	5	8
Rhodesia -----	0	0	0
Romania -----	0	0	1
San Marino -----	0	0	0
Saudi Arabia -----	0	0	0
Scotland -----	0	0	2
Singapore -----	0	0	0
South Africa -----	6	12	20
Soviet Union -----	0	0	7
Spain -----	112	79	58
Swaziland -----	0	0	0
Sweden -----	63	68	55
Switzerland -----	131	123	109
Taiwan -----	0	0	1
Thailand -----	0	0	1
Turkey -----	0	0	1
United Kingdom -----	365	281	261
Uruguay -----	0	0	0
Venezuela -----	1	2	4
Yugoslavia -----	1	3	1
Zaire -----	0	0	0
TOTAL -----	2,430	2,163	2,103

* Due to the Conversion of ADP Systems within the PTO, the Trademark Application Data, which are Usually Included in this Table, were not Available at the Time of Printing this Report. However, the Data may be Obtained by Writing to "Commissioner Of Patents And Trademarks, Washington, D.C. 20231, Attn: Office of Management and Organization". Future Annual Reports will Include the Data.

**Table 13.—TRADEMARKS REGISTERED, RENEWED, AND
PUBLISHED UNDER SECTION 12(c) ¹
(1960-79)**

YEAR	REGISTERED	RENEWED	PUBLISHED UNDER 12(c)
1960 -----	18,989	3,614	479
1961 -----	17,406	3,749	451
1962 -----	15,909	3,071	331
1963 -----	18,266	2,450	322
1964 -----	20,689	2,834	329
1965 -----	19,452	2,870	336
1966 -----	18,671	3,441	497
1967 -----	20,604	3,820	403
1968 -----	20,385	3,726	290
1969 -----	20,306	5,442	182
1970 -----	21,974	6,370	103
1971 -----	21,686	6,380	112
1972 -----	21,062	5,836	56
1973 -----	25,432	5,398	69
1974 -----	24,838	5,984	54
1975 -----	27,324	5,474	25
1976 ² -----	28,102	6,914	56
1977 ² -----	25,026	6,251	21
1978 -----	28,921	5,254	84
1979 -----	22,210	5,404	34

¹ Includes Withdrawn Numbers.

² The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

GENERAL INFORMATION

Table 14.—ACTIONS ON PETITIONS TO THE COMMISSIONER OF
PATENTS AND TRADEMARKS
(During Fiscal Year 1979)

NATURE OF THE PETITION	TOTALS
PATENT MATTERS	
Acceptance of	
Amendments Filed after Payment of Issue Fee	39
Late Assignments	26
Late Issue Fees	817
Late Priority Papers	36
Access	56
Certificates of Correction	8,215
Deferment of Issue	105
Filing Date	270
Interference	123
Make Special	
Infringement	96
Manufacture	6
Other	432
New Notice of Allowance	75
Public Use	6
Reissue in Divisions	6
Restriction	116
Revivals	2,244
Rule 47 (37 CFR 1.47)	734
Second Extensions of Time	13,252
Supervisory Authority	698
Withdrawal of Attorney	935
Withdrawal from Issue	98
Total Actions on Patent Petitions	28,385
OTHER RELATED PATENT MATTERS	
Applications Involving the Duty of Disclosure	
Receipts	171
Disposals	
Abandoned	23
Not Stricken	20
Stricken	2
Total Disposals	45
Total Applications Pending as of 9/30/79	309
Protests Filed in	
Original Applications	24
Reissue Applications	79
Total Protests Filed	103

**Table 14.—ACTIONS ON PETITIONS TO THE COMMISSIONER OF
PATENTS AND TRADEMARKS
(During Fiscal Year 1979)—Continued**

NATURE OF THE PETITION	TOTALS
TRADEMARK MATTERS	
Acceptance of Late Filed	
Fees (Excluding Section 8) -----	10
Papers (Excluding Section 8) -----	6
Decision by Examiner -----	10
Extensions of Time -----	22
Filing Date -----	4
Interference -----	2
Make Special -----	59
Requesting Recordation -----	4
Revivals -----	338
Sections 8 or 15 -----	31
Supervisory Authority -----	29
Miscellaneous -----	8
Total Actions on Trademark Petitions -----	523
PETITIONS AWAITING ACTION AS OF 9/30/79	
Patent Matters -----	414
Trademark Matters -----	96

**Table 15.—SUMMARY OF CONTESTED CASES
(Within The Patent And Trademark Office)**

PATENT AND TRADEMARK OFFICE TRIBUNAL						TOTALS
BOARD OF PATENT APPEALS						
Receipts						
Cases Pending as of 9/30/78						
Appeals	-----					4,439
Reconsideration	-----					34
Cases Filed During FY 1979						
Appeals	-----					4,094
Reconsideration	-----					416
Total Receipts	-----					8,983
Disposals						
Affirmed	-----					2,381
Affirmed-In-Part	-----					319
Dismissed	-----					4
Reversed	-----					935
Suspended	-----					0
Withdrawn	-----					305
Total Disposals ¹	-----					4,344
Total Cases Pending as of 9/30/79 ²	-----					4,639
BOARD OF PATENT INTERFERENCES						
Receipts						
Interferences Pending as of 9/30/78	-----					618
Interferences Declared During FY 1979	-----					283
Total Receipts	-----					901
Disposals						
Interferences Terminated	-----					258
Total Interferences Awaiting Final Board Disposition as of 9/30/79	-----					
Awaiting a Final Decision	-----					39
Awaiting the Setting of a Final Hearing	-----					3
Set for Final Hearing	-----					21
Total Interferences Awaiting Final Board Disposition	-----					63
Total Interferences Pending as of 9/30/79	-----					643
TRADEMARK TRIAL AND APPEAL BOARD						
	EX	CONC.				
	PARTE	CANCEL.	USE	INTER.	OPPOS.	TOTAL
Receipts						
Cases Pending as of 9/30/78	194	522	31	0	1,802	2,549
Cases Filed During FY 1979						
Ex Parte Appeals	233	---	---	---	---	233
Inter Partes Cases	---	380	15	0	1,562	1,957
Total Receipts	427	902	46	0	3,364	4,739
Disposals						
Total Cases Pending as of 9/30/79	198	339	14	0	1,566	2,117
	229	563	32	0	1,798	2,622

¹ Reconsiderations Included 400 Cases.

² Reconsiderations Included 50 Cases.

**Table 16.—CASES IN LITIGATION
(Selected Courts Of The United States)**

COURT OF THE UNITED STATES	ADMINIS. REVIEW	PAT	TM	TOTAL
UNITED STATES SUPREME COURT				
Petitions for Writ of Certiorari				
Receipts				
Cases Pending as of 9/30/78 --	0	1	0	1
Cases Filed During FY 1979 ----	2	2	1	5
Total Receipts -----	2	3	1	6
Disposals				
Denied -----	1	2	0	3
Dismissed -----	0	0	0	0
Granted -----	0	0	0	0
Total Disposals -----	1	2	0	3
Total Cases Pending as of 9/30/79	1	1	1	3
Total Decisions Rendered During FY 1979 -----	0	0	0	0
UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA				
Receipts				
Cases Pending as of 9/30/78 ----	5	6	0	11
Cases Filed During FY 1979 ----	2	6	0	8
Total Receipts -----	7	12	0	19
Disposals				
Affirmed -----	3	3	0	6
Dismissed -----	3	3	0	6
Reversed -----	0	0	0	0
Total Disposals -----	6	6	0	12
Total Cases Pending as of 9/30/79 --	1	6	0	7
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA				
Receipts				
Cases Pending as of 9/30/78 ----	3	18	1	22
Cases Filed During FY 1979 ----	13	17	0	30
Total Receipts -----	16	35	1	52
Disposals				
Affirmed -----	1	3	1	5
Dismissed -----	11	5	0	16
Reversed -----	1	3	0	4
Total Disposals -----	13	11	1	25
Total Cases Pending as of 9/30/79 --	3	24	0	27

**Table 16.—CASES IN LITIGATION
(Selected Courts Of The United States)—Continued**

COURT OF THE UNITED STATES	EX PARTE		INTER PARTES		TOTAL
	PAT	TM	PAT	TM	
UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS					
Receipts					
Cases Pending as of 9/30/78 --	67	3	10	17	97
Cases Filed During FY 1979 ---	112	6	7	15	140
Total Receipts -----	179	9	17	32	237
Disposals					
Affirmed -----	58	3	6	15	82
Affirmed-In-Part -----	5	0	0	0	5
Dismissed					
Appellant's Motion -----	12	1	0	3	16
Appellee's Motion -----	0	0	0	0	0
Joint Motion -----	2	0	0	2	4
Want of Prosecution -----	0	0	0	0	0
Total Cases Dismissed ----	14	1	0	5	20
Remanded -----	8	0	1	1	10
Reversed -----	26	1	2	0	29
Writs of Mandamus					
Denied -----	7	0	0	0	7
Granted -----	1	0	0	0	1
Total Writs of Mandamus --	8	0	0	0	8
Total Disposals -----	119	5	9	21	154
Total Cases Pending as of 9/30/79	60	4	8	11	83
Total Notices of Appeal Received -	90	6	14	19	129
Notices of Appeal not Perfected	6	0	4	0	10

**Table 17.—CASES IN LITIGATION
(Other Jurisdictions—Reported Cases)**

MONTH	PATENT CASES				TRADEMARK CASES			
	FILED	PAT	DECID.	PAT	FILED	TM	DECID.	TM
October, 1978 --	43	68	27	40	34	61	21	35
November -----	45	64	15	21	69	146	16	36
December -----	38	44	25	44	47	111	14	40
January -----	36	68	32	46	36	124	20	35
February -----	41	56	13	16	55	115	24	72
March -----	62	112	20	40	58	219	23	51
April -----	40	60	22	28	37	74	16	63
May -----	64	105	22	34	67	175	24	34
June -----	35	62	15	16	54	208	10	23
July -----	53	70	10	22	61	344	26	74
August -----	36	64	15	22	46	185	16	51
Sept., 1979 ----	45	57	8	20	50	104	17	117
TOTALS -----	538	830	224	349	614	1,866	227	631

**Table 18.—SUMMARY OF SERVICES FURNISHED TO THE PUBLIC
AND GOVERNMENT AGENCIES
(For A Fee Or Without Charge)**

ITEM/SERVICE FURNISHED	TOTALS
ASSIGNMENTS	
Abstracts of Title and Title Searches	731
Copies of Documents	23,175
Documents Recorded	74,657
Issue Searches	49,579
Title Reports	18,763
Total Assignments	166,905
CERTIFICATES	85,000
DRAWINGS AND CORRECTIONS	15,490
PATENT AND TRADEMARK COPIES	
Archives	155,000
Foreign Exchange	2,432,000
Library Subscriptions	931,000
Orders	3,107,000
Total Patent and Trademark Copies	6,625,000
PRINTS (Manuscripts, Publications, etc.)	15,083

**Table 19.—END OF YEAR EMPLOYMENT ¹
(1976-79)**

	1976 ²	1977 ²	1978	1979
OPERATING UNITS				
Collection, Assembly, and Dissemination of Patent and Trademark Information	953	867	823	788
Examination of Patent Applns.	1,829	1,788	1,795	1,719
Examination of Trademark Applns.	173	167	173	196
Total Operating Units				
Employment	2,955	2,822	2,791	2,703
PERSONNEL STAFFING				
Patent Professional	1,047	1,063	1,064	995
Trademark Professional	71	72	68	79
All Others	1,837	1,687	1,659	1,629
Total Personnel Staffing	2,955	2,822	2,791	2,703

¹ Total Paid Employment, Including Full Time Permanent and Others.

² The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

Table 20.—INCOME FROM FEES
(In Thousand Of Dollars)

SOURCE OF INCOME	1976 ¹	1977 ¹	1978	1979
PATENT-RELATED FEES				
Attorney Registrations and				
Certificates -----	30	35	37	43
Disclaimers -----	26	29	27	27
Filing Fees				
Design Applications -----	8,762	9,023	8,948	8,861
Disclosure Documents -----	42	49	56	56
Patent Applications -----	135	147	150	149
Patent Reissue Applications ---	84	106	106	98
Issue Fees				
Patent -----	10,982	10,063	9,978	9,166
Design -----	135	118	114	103
PCT Application and Search Fees -	-----	-----	24	178
Service Fees				
Certificates of Correction -----	37	37	37	43
Subscription Copies of Patents -	29	1	23	21
Total Patent-Related Fees ---	20,262	19,608	19,500	18,745
TRADEMARK-RELATED FEES				
Filing Fees				
Applications -----	1,348	1,605	1,706	1,738
Oppositions and Cancellations --	51	49	61	47
Renewals -----	180	157	142	158
Use/Non-Use Affidavits -----	141	142	146	154
Total Trademark-Related Fees	1,720	1,953	2,055	2,097
SERVICE AND RELATED FEES				
Appeals (Including Briefs) -----	798	772	884	715
Certification of Records -----	104	117	113	105
Making, Mounting, Correcting,				
and Comparing Drawings -----	232	242	232	237
Petitions -----	44	43	41	40
Printed Copies -----	2,082	1,879	1,749	1,707
Recording Assignments -----	1,582	1,620	1,563	1,556
Reproduction of Records -----	1,198	1,470	1,345	887
Special Services or Orders -----	147	161	150	160
Total Service and Related Fees -	6,187	6,304	6,077	5,407
MISCELLANEOUS OTHER FEES ² ----	71	115	90	862
TOTAL INCOME FROM FEES -----	\$28,240	\$27,980	\$27,722	\$27,111

¹ The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

² Approximately 35 Types of Fees Amounting to Less Than \$15,000 Each.

Table 21.—OPERATING COSTS
(In Thousands Of Dollars)

	1976 ¹	1977 ¹	1978	1979
OPERATING UNITS				
Collection, Assembly, and Dissemination of Patent and Trademark Information -----	30,610	31,545	32,052	33,308
Examination of Patent Applns.	48,454	51,846	56,109	58,374
Examination of Trademark Applns.	4,000	4,115	4,550	4,547
Total Operating Units Costs ----	\$83,064	\$87,506	\$92,711	\$96,229
SALARIES AND EXPENSES				
Personnel Benefits -----	5,121	5,463	5,964	6,181
Personnel Compensation -----	54,910	59,960	63,211	65,583
Printing and Reproduction -----	12,762	10,376	10,988	11,394
Other Costs -----	10,271	11,707	12,548	13,071
Total Salaries and Expenses ---	\$83,064	\$87,506	\$92,711	\$96,229

¹ The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.

Table 22.—TOTAL CONGRESSIONAL APPROPRIATIONS ¹
(Fiscal Years 1970–79)

FISCAL YEAR	TOTAL ACTUAL APPROPRIATION (Including Supplemental Appropriations ²)	APPROPRIATION CHANGES ³
1970 -----	48,685	+ 595
1971 -----	56,094	+1,427
1972 -----	62,372	+ 951
1973 -----	67,280	+1,247
1974 -----	71,982	+ 921
1975 -----	77,566	- 446
1976 ⁴ -----	85,350	+1,624
1977 ⁴ -----	89,400	-1,497
1978 -----	94,321	-1,458
1979 -----	96,654	-1,692

¹ In Thousands of Dollars.

² "Supplemental Appropriations" are the Funding Approved by the Congress to be Added to the PTO's Regular Appropriation to Cover Certain Changed Circumstances—Most Commonly Pay Increases.

³ "Appropriation Changes" Represent the Changes in Funding Level from the Previous Fiscal Year after Pay Increases and Other Uncontrollable Cost Increases have been taken into Account.

⁴ The Transition Quarter, July 1, 1976 to September 30, 1976, has been Omitted.



